

Current and Emerging Issues for Law Enforcement Intelligence

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The State of Intelligence Today

- Quantum leap from 9/11 in terms of:
 - Consistent national standards thanks to the National Criminal Intelligence Sharing Plan
 - Recognition of the intelligence role in law enforcement and interest in Intelligence Led Policing
 - Significant increase in the quality and connectivity of technology
 - Much broader recognition of the critical role of state, local and tribal law enforcement
- Law enforcement is also a bigger "target" of civil libertarians who fear the intelligence process



More on Training

- Michigan State's DHS OG&T-funded "Intelligence Toolbox"
 - Trained nearly 800 people representing 457 different law enforcement agencies at all levels of government
 - http://intellprogram.msu.edu
- Bureau of Justice Assistance
 - SLATT Intelligence Training
 - Fusion Center Conferences
 - Criminal Intelligence for the Chief Executive
- COPS-funded "Intelligence Guide"

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National Criminal Intelligence Sharing Plan

- Challenge: <u>comprehensive</u> adoption and implementation of the *National Criminal Intelligence* Sharing Plan
- Ensuring that the NCISP standards are being met by your agency
- Helping smaller agencies in your region meet the standards
- Why?
 - Enhance information sharing
 - Decrease probability of liability





Community Partnerships

- Two reasons for community partnerships in intelligence-led policing
 - Fear reduction
 - Source of raw information for intelligence cycle
- What is needed:
 - Trusted police-community relationships
 - Clear and consistent lines of communication
 - Public education:
 - * Signs and symbols of terrorism and organized crime
 - How to: Observe Document Report
- Bottom line: Raw, relevant information from the community can geometrically increase the quality of analysis
 - · Consequently, analytic products will be more actionable

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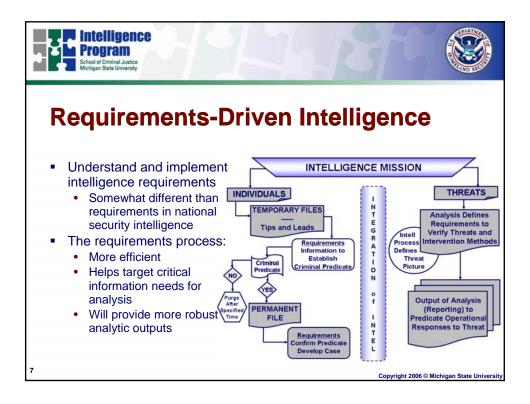




Public-Private Partnerships

- Expand (and embrace) publicprivate partnerships for information sharing – include:
 - A dialogue on intelligence requirements of both pubic and private
 - Establish information sharing processes
 - Includes dialog of what kind of information is shared
 - Information sharing process when there is an imminent threat

- Analytic products by and for the private sector
- Must go beyond critical infrastructure
- Include all aspects of government and private sector in TEW/TLO/ILO









Fusion Centers

- Make certain they are analysis driven
 - If they get into a mode of "investigate support" or as an "operations center", their value will be lost
- Embrace the Fusion Center Guidelines
- Expand (and embrace) regionalization of the intelligence function
- State homeland security and law enforcement must be "on the same page"
 - Will require some give-and-take by both



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Fusion Centers

- Need to avoid "Fusion Stovepipes"
 - Growth of non-connected fusion centers
 - Growth of independent web sites that contain tips, leads, investigative support information and intelligence
 - * Examples
 - > Each HIDTA center has its own site
 - > Each RISS center has its own site
 - ➤ LEO has hundreds of separate Special Interest Group sites
 - ➤ HSIN is setting up portals for each state

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Enhancing Analysis

- We need to take our analytic training and practice to the next level
 - FIAT, FLEAT, IATP, the Community Model, etc. serve as sound foundation, but we need to build on them
- More critical-thinking training for analysts
 - Problem-Based learning serves as a solid model
 Scientific approach to problem solving
 - Greater use of predictive analysis
- Targeted writing of intelligence reports for consumers
 - Includes actionable intelligence briefings

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Enhancing Analysis

- Continuing education and graduate degrees in intelligence
 - International Association for Intelligence Education http://www.iafie.org/
 - Michigan State University http://intellprogram.msu.edu
- Professional Certification for Analysts is being discussed
- Beyond the development of a professional model for intelligence analysts, they must be viewed as practicing professionals, just like sworn personnel

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Nexus of Terrorism and Organized Crime

- Greater awareness and closer examination
- Compelling body of evidence growing that suggests the nexus exists for:
 - Some aspects of funding (e.g., drug trafficking)
 - Logistics (e.g., human smuggling)
 - Instrumentalities (e.g., weapons, counterfeit documents, etc.)
- Intelligence processes need to be constantly aware of this nexus and include organized crime in the threat assessment

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Emerging Intelligence Foci

- Gang Enterprises going beyond traditional gang activities
- Corrections
 - Right Wing extremists
 - Extremist Muslim converts
 - Gangs
- Enterprise corruption business executives and decision makers involved in illegal practices to make large sums of money

- Immigration
 - "America's Shield Initiative" has a significant intelligence component, including state, local and tribal law enforcement
- Criminal cyber-enterprises
- NOTE: These are all occurring now. law enforcement must:
 - Put them "on our radar"
 - Develop Investigative expertise



Meeting the Challenges

- Systematically and effectively exploiting open sources
 - Animal Rights extremists on MySpace
 - The Blogosphere
 - Extremist web sites can help identify Motives, Methods and Targets
- The need for multi-lingual analysts
- Ensuring that strategic analysis and threat assessments are consistently conducted
- Embrace the private sector

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Privacy Issues

- Recognize that many in the media and public do not know the difference between law enforcement and national security intelligence
- Issues:
 - How much and what types of individual information is being collected and stored by law enforcement?
 - How is law enforcement using open source information (e.g., MATRIX)?
 - With whom is law enforcement sharing this information?
- There is a fundamental distrust of law enforcement and assumed impropriety

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Immunizing Your Agency from Liability

- Regular audits of intelligence information processes
- Oversight person or board
- Make certain that:
 - · Officers are trained
 - · Policies are in place
 - · Supervision is effective
- Ensure that officers are not keeping "a second set of books" for intelligence records
- Demonstrate that intelligence operations always act in good faith
- Adhere to the recommendations of the National Criminal Intelligence Sharing Plan

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Ethical Decision Making

- The most fundamental principle of ethical behavior is "Do No Harm"
 - One of the problems is the definition of "harm"
 - It is often based on one's perspective and personal philosophy of what is important – Example:
 - What is more important protecting an American community from a terrorist attack or protecting individual civil rights?
- Sometimes the "legal way" may not seem like the "right way"

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Executive and Management Issues

- Executives and managers need to understand what intelligence can do for the agency
 - In some cases, they may not have the background to fully understand intelligence
 - · Executive education classes can remedy this
- Intelligence needs to be viewed as enhancing the policing function, not as an unfunded add-on
 - It should be funded as a budget item, not a grant or soft money item
- The challenge of resources: R-Cubed
 - Refocus the role of intelligence as related to the agency mission
 - Refine the operational plan of the intelligence function including management processes
 - Reallocate resources to accomplish goals

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